



**City of Bellevue
Development Services Department
Land Use Division Staff Report**

Proposal Name: Palmer Preliminary Short Plat

Proposal Address: 15330 SE 22nd Street

Proposal Description: Subdivide approximately one acre into 6 single family residential lots in the R-5 zoning district. There are no critical areas onsite.

File Number: 09-122554-LN

Applicant: Doug Palmer

Decisions Included: Administrative Decision for a Preliminary Short Plat through Process II, Land Use Code 20.35.200

**State Environmental Policy Act
Threshold Determination:** **SEPA Exempt pursuant to WAC 197-11-800(6)(a),
BCC 22.02.032**

Department Decision: **Approval with Conditions**

Carol Saari, Senior Planner
Development Services Department

Notice of Application: 10/22/09
Minimum Comment Period: 11/18/09
Decision Publication Date: 03/18/10
Appeal Deadline: 04/01/10

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the Decision must be made with the City Clerk by 5 p.m. on the date noted for appeal of the decision.

I. DESCRIPTION OF PROPOSALS

The applicant proposes to short plat approximately one acre into 6 single family residential lots in the R-5 zoning district. There are three existing single family lots which will be combined to create the short plat. There are two residences on two of the existing lots (one lot is vacant). These structures will be demolished for the project. All lots are owned by the applicant.

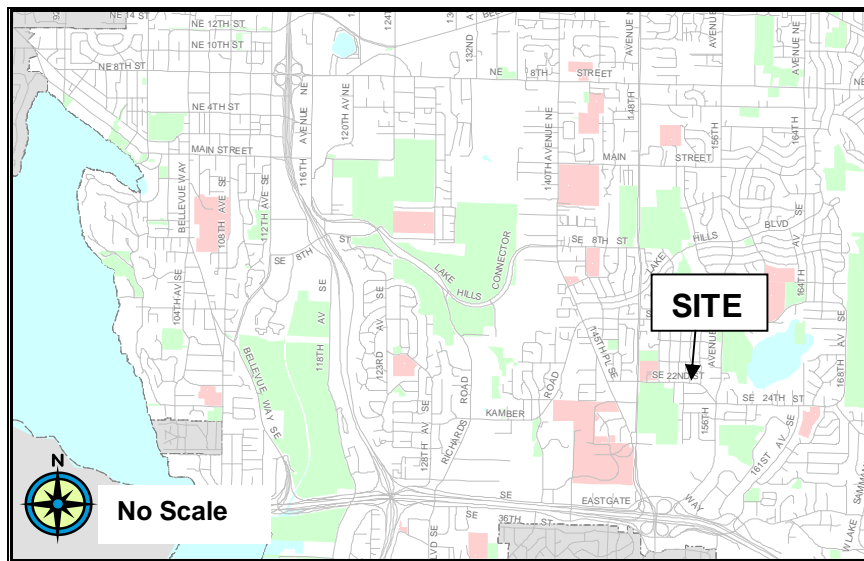
One new driveway along 154th Avenue SE will serve all 6 lots. The two existing driveways along SE 22nd Street will be removed and one driveway along 154th Avenue SE will be relocated and reconstructed to serve all 6 lots.

See Attachment A, Short Plat Drawings.

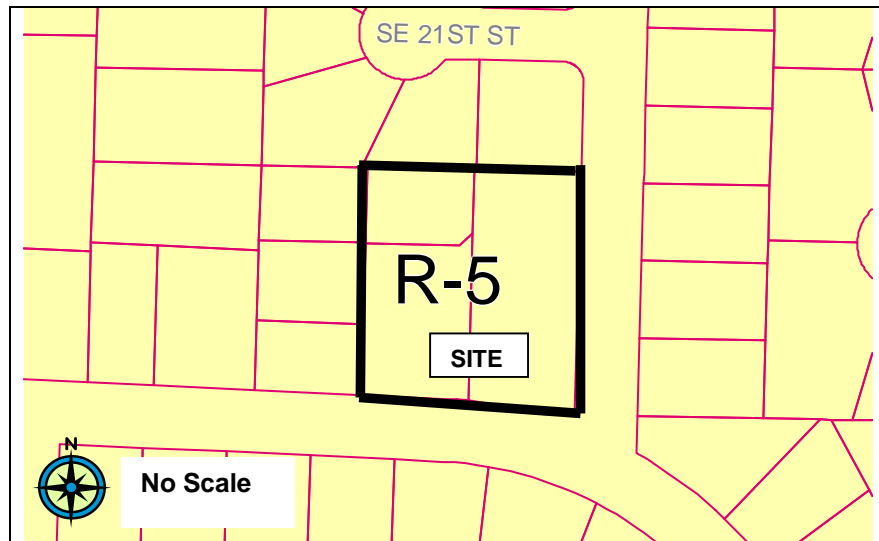
II. SITE DESCRIPTION AND CONTEXT

The site is located in the West Lake Hills neighborhood, about ½ mile southeast of Phantom Lake. The site is surrounded by single family homes to the north, south, east and west, all within the R-5 zoning district. See Vicinity Map, Zoning Map and Aerial Photograph below.

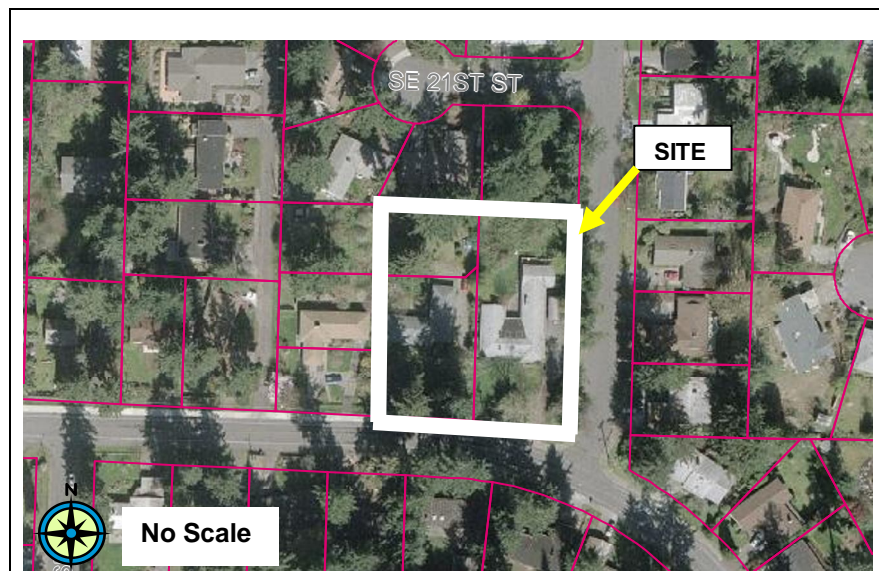
Vicinity Map



Zoning Map



Aerial Photograph



The site is generally flat with an elevation change of about 9 feet (under 5% slope) for the short plat property. There are no slopes exceeding 15% onsite. There are no critical areas onsite. The site contains 14 significant trees, 4 of which will be retained along the street frontage.

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

A. Consistency with Standard Land Use Code Requirements

Table 1
Dimensional Requirements

BASIC INFORMATION		
Zoning District	R-5	
Gross Site Area	1.05 acres (45,788 Square Feet)	
ITEM	REQ'D/ALLOWED	PROPOSED
Minimum Lot Area	7,200 Square Feet	The applicant is using the lot averaging provision per LUC 20.20.017: Lot 1: 8201 Square Feet Lot 2: 7085 Square Feet Lot 3: 7085 Square Feet Lot 4: 7099 Square Feet Lot 5: 7252 Square Feet Lot 6: 9066 Square Feet
Minimum Lot Width	60 Feet	Lot 1: 75 Feet Lot 2: 65 Feet Lot 3: 65 Feet Lot 4: 65 Feet Lot 5: 65 Feet Lot 6: 75 Feet
Minimum Lot Depth	80 Feet	Lot 1: 109 Feet Lot 2: 109 Feet Lot 3: 109 Feet Lot 4: 109 Feet Lot 5: 109 Feet Lot 6: 109 Feet
Minimum Street Frontage	30 Feet	Lot 1: 109 Feet Lot 2: NA Lot 3: NA Lot 4: 65 Feet Lot 5: 65 Feet Lot 6: 76 Feet (SE 22 nd Street) and 123 Feet (154 th Avenue NE)
Building Setbacks		Not to exceed with future homes (separate from this short plat action):
Front Yard	20 Feet	20 Feet
Rear Yard	20 Feet	20 Feet
Min. Side Yard	5 Feet	5 Feet
2 Side Yards	15 Feet	15 Feet
Access Easement	10 Feet	10 Feet
Lot Coverage	40%	Not to exceed 40% with future homes (separate from this short plat action):
Impervious Surface	55%	Not to exceed 55% with future homes (separate from this short plat action):
Tree Retention	30% or 86 Diameter Inches out of a total of 286 Diameter Inches of Significant Trees Onsite. <u>See condition IX.C.1.</u>	41% or 116 Diameter Inches

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

This project does not require review under SEPA. Short Plats not containing Critical Areas are exempt from SEPA review pursuant to WAC 197-11-800(6)(a), BCC 22.02.032.

V. SUMMARY OF TECHNICAL REVIEWS

A. Clear/Grade Review

The plans and materials submitted for the project are sufficient for the Clearing and Grading section to approve the Design Review. Technical review will occur through the Clearing and Grading Permit.

B. Utilities Review

The City has adequate capacity for providing water, sanitary sewer and storm drainage service for this proposal. The Utility Department approval of the preliminary short plat application is based on the conceptual utility design only. This conceptual review of the proposal has no implied approvals of the engineering design and specifications. Changes to the site layout shall be required to accommodate all water, sewer and storm drainage design review, plan approval and field inspection shall be performed through the Utility Developer Extension Agreement process, water application process, side sewer permit(s) and/or storm drainage connection permits.

See condition IX.A.1.

C. Fire Department Review

The Fire Department has reviewed the proposal and has recommended conditions of approval, i.e. requirements for a fire hydrant and the access road shall be marked "Fire Lane-No Parking." See conditions IX.B.1, C.2.

D. Transportation Department Review

The Transportation Department has reviewed the plans submitted for the preliminary short plat and recommends approval. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure permit. Prior to final short plat approval, the developer must provide all transportation improvements at the developer's expense (BCC 14.60.110) or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished improvements.

Under BCC 22.16, payment of the transportation impact fee for each new home prior to building permit issuance will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the City Council. Builders will pay the fee in effect at the time of building permit issuance.

Site Access

Access to Lots 1 through 6 will be from the private road SE 21st Court off of 154th Avenue SE as shown on the approved plans. No other access connection to city right-of-way is authorized.

The paved private road width will be a minimum of twenty feet, located within an access easement of twenty five feet minimum width, and must be built per the City's Transportation Department Standards. Pavement type and thickness will be as per Design Manual Standard Drawing DEV-7A. [See condition IX.B.2.](#)

All lots will be addressed off of the private road, SE 21st Court.

Access Design and Maintenance

The final Subdivision map must include a note that specifies that the owners of lots served by the private road are jointly responsible for maintenance and repair of the private road. Also, the final Subdivision map must include a note that specifies that the private road will remain open at all times for emergency and public service vehicles and shall not be gated or obstructed. Access from lots in the Palmer Short plat to the City roadway system will be through the private road, SE 21st Court. No other direct access onto the public street system is authorized. [See condition IX.C.4.](#)

Parking is not allowed within the paved width of 20 feet. "No Parking" signs and markings on the private road shall be provided by the developer. [See condition IX.B.1.c.](#)

Street Frontage Improvements

In order to provide safe pedestrian and vehicular access in the vicinity of the site and to provide infrastructure improvements with a consistent and attractive appearance, the construction of street frontage improvements on 154th Avenue SE is required as a condition of development approval. Driveway removal and completion of street improvements to match the existing adjacent improvements is required on SE 22nd Street. The design of the improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the provisions of the Transportation Department Design Manual.

Bellevue City Code section 14.60.110A states that installation of street frontage improvements is required prior to final approval of short subdivisions. BCC section 14.60.110B states "Complete street frontage improvements shall be installed along the entire street frontage of the property at the sole cost of the permittee as directed by the Review Engineer. Street frontage improvements may include curb, gutter, sidewalk, storm drainage, street lighting, traffic signal equipment, utility installation or relocation, landscaping strip, street trees and landscaping irrigation, street widening, and channelization."

Underlying these code sections are numerous policies and goals adopted by the City Council, including the Comprehensive Plan. Bellevue policy is to not allow new developments unless consistent with the goal to create a balanced transportation

system having a wide range of travel choices and consistent with the vision of Bellevue as the "City in a Park." This is carried out by placing conditions on the approval of development permits to assure that developers provide frontage improvements as appropriate to meet the City's goals regarding alternative travel choices, appropriate traffic volumes, safety, aesthetics, and environmental enhancements. City policy leads to the creation of a higher quality community, thus benefiting developers, who can market developments in Bellevue for higher prices.

Under City policy, each site bears the cost of its own frontage improvements. These costs are passed on to the occupants through higher land prices. Each site receives benefits from all the other sites that have improved frontages. If a development is not required to bear the full cost of frontage improvements at the time of development, then those frontage improvements will not be completed unless paid for in the future by the City's taxpayers. However, the taxpayers already bear the cost of frontage improvements where they live and work, so the taxpayers would be double charged, while the new developer escapes these costs. Thus, it is equitable and roughly proportionate for each new developer to bear the full cost of frontage improvements for each site.

An examination of frontage improvements and average daily trip generation for some other recent residential developments in Bellevue shows that they provided an average of 11.6 linear feet of half-street improvements per average daily trip. The calculation of daily trips is the net increase in trips based on a seven-day average rate from national sources. The Palmer Short Plat which is a six lot short plat, is expected to generate a net increase of 38 average daily trips based on a net increase of four dwelling units since the site currently has two single family dwelling units. The Palmer Short Plat is financially responsible for the construction of approximately 210 linear feet of half-street improvements. This results in 5.53 linear feet of half street improvements per trip, which is less than the average 11.6. Therefore, the requirement for approximately 210 feet of frontage improvements is appropriate.

Prior to final short plat approval, the developer must provide street frontage improvements on 154th Avenue SE and SE 22nd Street at the developer's expense (BCC 14.60.110) or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished frontage improvements. The final engineering plans showing those frontage improvements must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure (GE) permit.

Specific requirements include:

A concrete sidewalk of width 6 feet (width to match the width of the existing portion of sidewalk near the corner of 154th Avenue SE and SE 22nd Street) is required along the property frontage on 154th Avenue SE. An ADA compliant asphalt tie down ramp is to be provided at the open end of the new sidewalk. The existing sidewalk along the property frontage must be in good condition and must satisfy ADA, or it must be repaired to match the City of Bellevue sidewalk standards. The curb ramp at the northwest corner of 154th Avenue SE and SE 22nd Street must be ADA compliant. A detectable mat is needed at the curb ramp. A driveway approach as per DEV-7A will be provided at the connection of the private road with 154th Avenue SE. The existing driveways onto SE 22nd Street are to be removed and frontage matching the adjacent locations must be provided.

Street lights are in place on the east side of 154th Avenue SE. A street light is required at the intersection of a private street and a public street (B.C.C. 14.60.210). A street light pole is to be located at a minimum of 10 feet away from the driveway approach end of the private road. Road name signs as per TE-22B must be provided at the entrance to the private road SE 21st Court from 154th Avenue SE. All utilities serving the site are to be undergrounded.

See conditions IX.B.2 ,3, C.3.

Use of the Right of Way

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading, and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. See condition IX.B.4.

Off-Street Parking

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation or demolition permit. See condition IX.B.6.

Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it was last resurfaced. These three categories are No Street Cuts Permitted, Overlay Required, and Standard Trench Restoration. Each category has different trench restoration requirements associated with it. Near the development site, 154th Avenue SE and SE 22nd Street are classified as 'Overlay Required.' See condition IX.B.5.

Transportation Impacts and Mitigation

City staff has analyzed the potential short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the peak hours. The Palmer short plat is estimated to generate 4 new PM peak hour trips. The addition of the 4 new PM peak hour trips is not expected to have a significant impact on the traffic conditions of the adjacent streets.

VI. PUBLIC COMMENT

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *Seattle Times* on October 22, 2009. The notice was mailed to property owners within 500 feet of the project site and two Public Information Signs were installed on

the project site on the same day.

The project was presented to the East Bellevue Community Council (EBCC) at a meeting on November 4, 2009 under "Department Reports." Approximately 9 neighbors attended the meeting. The applicant was unable to attend this meeting to hear neighbor concerns in person.

Subsequent to the EBCC meeting, the city received petitions, in opposition to the project, signed by 22 neighbors. The city also received numerous emails of the same nature.

On February 23, 2010, the city sent information to parties of records outlining the items covered under a short plat application and those items outside the scope of a short plat (i.e. house design, fences).

The following is a list of concerns and city response:

A. Land Use concerns:

Introduction:

Recent neighborhood livability code changes have begun to address the size and scale of single family homes (Ordinances 5791 and 5896). It is important to note that approval of the preliminary short plat and final short plat does not take into consideration the design of any future buildings/fences.

During the preliminary short plat review, the City *requires the applicant to demonstrate that they meet all of the requirements of the Land Use Code for preliminary short plats (Land Use Code 20.45B.130 – see Section VII below)*. The applicant must identify all applicable dimensional requirements for each new lot, including the setbacks for each lot to assure that each lot is of legal size during preliminary short plat review. In an R-5 zoning district, the required setbacks are as follows: Front – 20 feet, Rear – 20 feet, and Side – a minimum of 5 feet with the combined side setbacks equaling a minimum of 15 feet. The proposed lots also must meet the minimum lot size of 7,200 square feet (averaging allowed). The setbacks and the size and configurations of the new lots are shown on the Preliminary Short Plat drawing. The applicant must demonstrate that a variance will not be necessary to construct the future homes. **See condition IX.C.5.** Design of future homes must minimize topographic modification. Changes in existing grade outside the building footprint must be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed 5 feet. **See condition IX.C.6.**

The following is a table of items reviewed under the short plat and non-short plat issues.

Table 2
Items reviewed under Short Plat

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Items reviewed under Short Plat	Comments
<p>Lot sizes for R-5 zoning Minimum 7200 square feet (averaging permitted) (see Table 1 dimensional requirements)</p>	<p>Land Use Code (LUC) 20.20.010</p>
<p>Lot dimensions (width, depth, street frontage). Width = 60 feet min. Depth = 80 feet min. Street frontage = 30 feet minimum (see Table 1 dimensional requirements)</p>	<p>Land Use Code (LUC) 20.20.010</p>
<p>Building Setbacks Front = 20 feet min. Rear = 20 feet min. Sides = min.5 feet, 2 sides must equal min.15 feet (see Table 1 dimensional requirements)</p>	<p>Land Use Code (LUC) 20.20.010</p>
<p>Tree retention Minimum 30% of diameter inches of healthy significant trees onsite.</p>	<p>LUC 20.20.900</p>
<p>Materially detrimental to neighborhood</p>	<p>Land Use Code (LUC) 20.45B.130. Must relate to the decision criteria for short plat development (i.e. lot size, dimensions). Does not include items such as home design and fences.</p>
<p>Concerns about increased traffic and headlights shining into the homes on the east side of 154th Ave. SE from the access tract for this property.</p>	<p>See discussion under Transportation, Section VI.B.2.</p>
<p>Neighbors can provide comment on specific Land Use Code regulations applicable to the short plat. Please see list on next page.</p> <p>The preliminary short plat must meet the decision criteria per LUC20.45B.130:</p>	<p>Neighbors have the opportunity to comment on the preliminary short plat decision criteria per LUC20.45B.130.</p>

<ol style="list-style-type: none"> 1. The preliminary short plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste; and 2. The public interest is served by the short subdivision; and 3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site; and 4. The proposal complies with all applicable provisions of the Land Use Code, BCC Title 20, the Utility Codes, BCC Title 24, and the City of Bellevue Development Standards; and 5. The proposal is in accord with the Comprehensive Plan, BCC Title 21; and 6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance; however, requests for modifications to the requirements of Part 20.25H LUC, where allowed under the provisions of that part, may be considered together with an application for preliminary short plat so long as the resulting lots may each be developed without individually requiring a variance; and 7. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property. 	
<p>Non-Short Plat Issue</p>	<p>Comments</p>

Home design	Home height, setbacks, floor area ratio, greenspace, mechanical equipment and tree retention are regulated for new homes under the Neighborhood Livability regulations per Ordinance 5896 and the Land Use Code. Home design is only regulated under a Planned Unit Development (which this project is not).
Fences	Fences are allowed per Land Use Code 20.20.400.
Quality of homes to be constructed	The City of Bellevue does not regulate the quality of homes, only that the construction meets all applicable city and state codes (i.e. structural building code, electrical code).
Height of homes	Homes must comply with City of Bellevue Land Use Code regulations. See Neighborhood Livability regulations per Ordinance 5791 and 5896.
Design and orientation of homes are not a part of the short plat review. The location of setbacks is part of the short plat review. All other design siting issues will be addressed during the building permit review.	The short plat does not regulate design or orientation of homes, apart from setbacks.
Development will be inconsistent with and not in character with the neighborhood.	The short plat is to divide the lots only, per city codes and regulations. The short plat is not a permit to build the homes/fences. These elements may not be combined with the short plat.
Lot sizes are inconsistent with the neighborhood.	The lot sizes are determined by the zoning regulations for the R-5 zoning district, regardless of the existing lot sizes in the neighborhood.
Trees will be lost and that will ruin the neighborhood character.	The short plat is required to save 30% of the diameter inches of existing healthy significant trees onsite, per LUC 20.20.900.

B. Transportation concerns:

Neighbor Concern: The proposed “shared driveway” exiting to 154th Ave SE, utilized by six residences, creates the following concerns:

1. The proposal consolidates all traffic on to the 2000 block of 154th which currently has the highest traffic levels in the neighborhood due to its “collector” nature for the northern part of Robinswood and its straight thru connection to SE 16th. The neighborhood is already experiencing issues of traffic volume, excessive speed, pedestrian safety (due to lack of sidewalks) and commuter cut thrus. An additional six residences with multiple cars all using a common entrance on 154th will exacerbate the problem. It is unclear why the available arterial on SE 22nd is not used for some or all of the access.

Response:

The Palmer six lot short plat includes the removal of 2 existing houses. Therefore, there would be 4 new PM peak hour trips from the 6 lot short plat on the City roadway system. The added new daily trips from the proposed short plat is estimated to be 38 trips. These additional trips on the roadway system are not expected to have a significant influence on the existing traffic conditions. There is an existing traffic hump along 154th Avenue SE that provides traffic calming on the street. There are also patterned concrete entry treatments on 154th Ave SE which makes drivers aware that 154th Avenue SE is a local street.

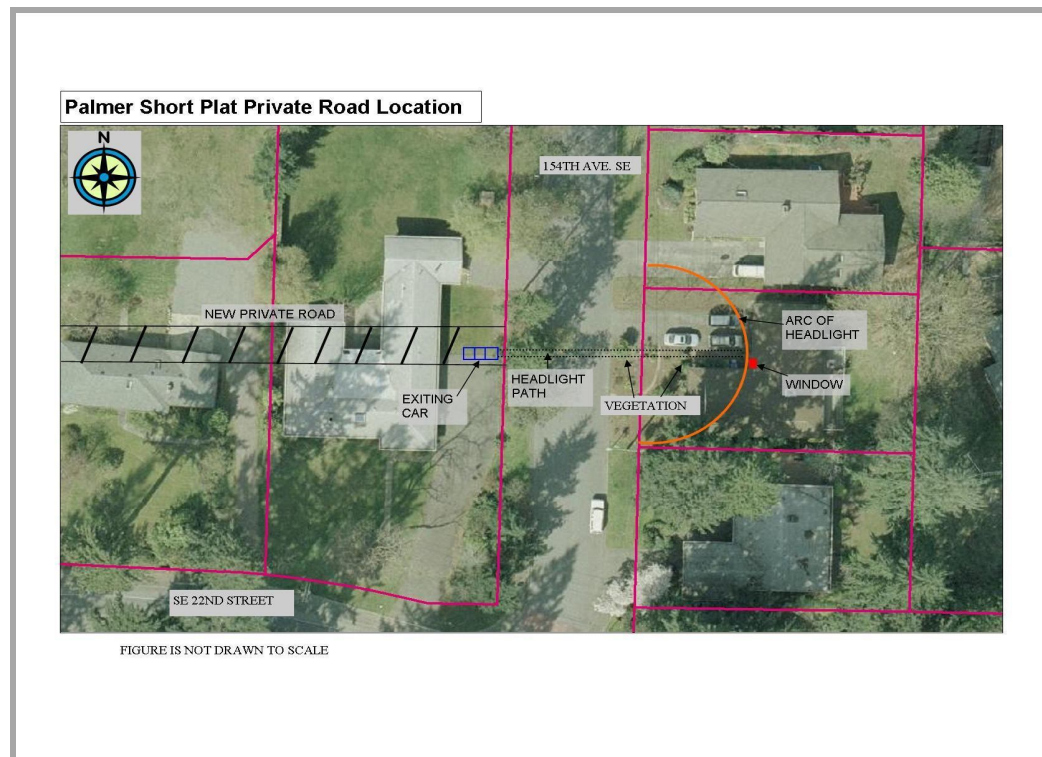
City of Bellevue code 14.60.150.D states that the installation of driveways onto arterials may be denied if alternate access is available. The purpose of this requirement is to maintain the operational characteristics of each type of street as described in the Roadway Network section of the Comprehensive Plan and as specified in Policy TR-46. SE 22nd Street is classified as a collector arterial and 154th Avenue SE is classified as a local street. Therefore, for the Palmer short plat, the City will require access from 154th Ave SE.

City of Bellevue code 14.60.150.C encourages combined driveways for adjoining properties. Therefore, a private road which combines the access of the 6 lots is recommended as the access to the proposed short plat and will reduce conflicts that could otherwise occur if multiple driveways were allowed.

2. The proposed driveway orientation will cause the headlights of all exiting cars to shine directly into the residences on the east side of 154th. This is of serious and immediate concern to those residents.

Response:

The proposed private road entrance into 154th Avenue SE is opposite the garage of the house at 2056 154th Ave SE, located on the east side of 154th Avenue SE. There is one small entryway window in the house, approximately 2'x3' in size, which faces west toward the short plat driveway. Existing vegetation in front of the house, mostly screens the window from 154th Avenue SE. The headlights of exiting cars are not expected to significantly impact the residents of the house on the east side of 154th Ave SE. See figure below:



3. The proposed shared driveway is not consistent with the property orientation and driveway setup of all other properties in the neighborhood. Throughout the neighborhood, the driveways are spaced to one per house along the street. A shared private drive is not consistent with the character of the neighborhood.

Response:

City of Bellevue code 14.60.150.C encourages combined driveways for adjoining properties. Therefore a private road which combines the access of the 6 lots is recommended as the access to the short plat. Combined access reduces the number of traffic conflict points along the public street.

4. An additional home is anticipated on an adjacent undeveloped lot next to the Palmer properties (parcel 415750080, not owned by Mr. Palmer) that would exit onto 154th street further compounding many of the problems listed above.

Response:

This application reviews the development impacts of the proposed Palmer short plat. The future single family construction on an adjacent parcel to this short plat is not a part of this short plat review.

However, the proposed private road access for the Palmer short plat onto

154th Avenue SE would be located approximately 90 feet south of the south lot line of parcel 415750080. Any future driveway for the parcel 415750080 must meet the City Design Standard distance of 100 feet, as specified in Section 5G of the Transportation Design Manual.

VII. DECISION CRITERIA

Land Use Code Section 20.45B.130B Decision Criteria for a Preliminary Short Plat:

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

1. **The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste.**

Finding: City codes ensure public health, safety and general welfare through development code requirements. All 6 lots will be accessed via one new driveway, as approved by the Transportation Department. Existing public water, sewer and storm water runoff facilities have been deemed adequate to serve the proposed development, with required connections by the Utilities Department.

2. **The public interest is served by the short subdivision.**

Finding: The public interest is served by providing additional housing opportunities where urban level services already exist in accordance with the Comprehensive Plan while ensuring compliance with City codes and standards.

3. **The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site.**

Finding: The preliminary short plat considers the physical characteristics of the site by establishing tree retention along street frontages which will continue the wooded character of the neighborhood.

4. **The proposal complies with all applicable provisions of the Land Use Code (BCC Title 20), the Utility Code (BCC Title 24), and the City of Bellevue Development Standards.**

Development Standards

Finding: As conditioned, the proposal complies with the Land Use Code requirements for the R-5 zoning district, the Utility Code and the City of Bellevue Development Standards.

Land Use Code Requirements

- A. Dimensional Requirements:** Refer to Section III.B. for dimensional requirements.

Finding: As conditioned, all of the lots can be developed in accordance with the City of Bellevue Land Use Code requirements including the R-5 dimensional requirements.

- B. Significant Tree Preservation:** Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of 30% of significant trees on the site. In order to meet the 30% minimum retention requirement, the project must retain a minimum of 86 diameter inches of significant trees.

Finding: The applicant proposes to preserve a total of 116 diameter inches or 41% of the significant trees onsite. This satisfies the minimum 30% tree retention requirements. [See condition IX.C.1.](#)

5. The proposal is in accord with the Comprehensive Plan (BCC Title 21).

Finding: The site is located within the Southeast Bellevue Subarea. The Comprehensive Plan specifies Single-Family High Density development for this property which is consistent with the R-5 zoning designation. The proposal complies with applicable Comprehensive Plan policies City-wide and for this Subarea.

The single family homes are, by use type, compatible with surrounding single family neighborhoods. The proposal provides new housing as encouraged by the Comprehensive Plan (Policy LU-3) and helps meet Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years (LU-5).

The proposal provides development on infill or under-utilized sites with adequate urban services (HO-17) and meets the Neighborhood Quality goal (Housing Element) to ensure compatible housing and environmentally sensitive features by preserving healthy significant existing trees on-site.

6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance.

Finding: As conditioned, each lot can reasonably be developed to current R-5 zoning standards without requiring a variance. [See condition IX.C.5.](#)

7. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.

Finding: The Utilities and Transportation Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage, driveway access, necessary sidewalk easements and other required improvements are existing, planned or conditioned as part of this approval to

accommodate the use of these lots.

VIII. Conclusion and Decision:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of the Development Services Department does hereby **approve** the Palmer Preliminary Short Plat **with conditions**.

This approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of approval unless the applicant files for an extension at least 30 days prior to the expiration and the extension is granted pursuant to LUC 20.45B.150 and .160.

IX. Conditions of Approval:

The following conditions are imposed under authority referenced:

A. GENERAL CONDITIONS:

1. UTILITIES DEPARTMENT

Utilities Department approval is based on the preliminary utility design only. Final civil engineering of the utility design shall require changes to the site layout to accommodate the utilities. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. Utilities Department design review, plan approval, and field inspection is performed under the Developer Extension Agreement and Utilities Permit Processes.

Authority: Bellevue City Code 24.02, 24.04, 24.06
Reviewer: Arturo Chi, 425-4119

B. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:

1. FIRE DEPARTMENT

- a) Provide a fire hydrant within 400 feet of the most remote single family home.
Authority: International Fire Code 508
- b) The detention pipes in the access roadway shall be capable of supporting a fire apparatus with a gross weight of 64,000 lbs. (rear axle=48,000 lbs and front axle=19,000 lbs) and shall support the weight of the ladder truck outrigger which is 45,000 lbs over an 18 inch square.
Authority: Development Services Handout B-1
- c) The 20 foot wide access road shall be posted and marked "Fire Lane-No Parking" per Bellevue Fire Department Standards.
Authority: Bellevue Fire Department Standards

Reviewer: Adrian Jones, 425-452-6032

2. ENGINEERING PLANS

A site (civil engineering) plan produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code and the provisions of the Transportation Department Design Manual. The engineering plans must correctly show all transportation-related engineering details, including but not limited to, the design of the private road the connection to 154th Avenue SE, pavement restoration in 154th Avenue SE and SE 22nd Street (if any street cut is needed on SE 22nd Street), mailbox location, garbage pickup location, street light pole location, utility undergrounding, and sight distance. Appropriate standard details and drawings from the Transportation Department Design Manual must be included in the engineering plans. Transportation information is to be shown in a sheet labeled as 'Roadway Plan.'

Specific requirements are detailed below:

a) Site Specific Items:

- The private road approach type DEV-7A, the private road cross section, and the private road profile are to be shown in the engineering plans
- Sight distance drawings (as per TE-1 and TE-3) must be included in the engineering plans.
- Location and details of signs are to be shown clearly in the plan set
- The street light pole location must be shown clearly in the plans.
- No fixed object including street light poles and fire hydrants are allowed to be located nearer than 10 feet to the driveway approach edge.
- Garbage pickup, with regard to whether the garbage bins will be in front of the individual houses or at the entrance of the private road, is to be discussed with the garbage pickup company RABANCO. Provide the information to the City.
- Mail box location is to be discussed with the postmaster and the information must be provided to the City. The location of the mail boxes must not obstruct sight lines.
- Slope of the private road shall be shown on the plans.

b) Miscellaneous:

- Landings on sloping driveway approaches are not to exceed a 10% slope for a distance of 20 feet past the back of the driveway approach and shall be limited to a maximum grade of 15% thereafter. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- The maximum cross grade of a street at the street end shall be 8%.
- Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.

Authority: Bellevue City Code 14.60; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings DEV-7A, TE-1, and TE-3.

Reviewer: Rohini Nair, 425-452-2569

3. SIGHT DISTANCE

If necessary to meet the sight distance requirements of BCC 14.60.240 and standard drawing TE-1, existing vegetation near the access point of the private road SE 21st Court from 154th Avenue SE must be trimmed. Ground vegetation within the sight triangle must be trimmed to no more than 2.5 feet above a line drawn from pavement level to pavement level. Trees within the sight triangle must be limbed up to a height of 7.5 feet above a line drawn from pavement level to pavement level. Pedestrian sight distance as per TE-3 must also be provided. A description of any required vegetation trimming must be shown on a sheet of the clearing and grading plan set.

Authority: Bellevue City Code 14.60.240

Reviewer: Rohini Nair, 425-452-2569

4. RIGHT OF WAY USE PERMIT

The applicant is required to apply for a Right of Way Use Permit before the issuance of any clearing and grading, building, foundation, or demolition permit. In some cases, more than one Right of Way Use Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Use Permit regulates activity within the city right of way, including but not limited to the following:

- a) Designated truck hauling routes.
- b) Truck loading and unloading activities.
- c) Hours of construction and hauling.
- d) Continuity of pedestrian facilities.
- e) Temporary traffic control and pedestrian detour routing for construction activities.
- f) Street sweeping and maintenance during excavation and construction.
- g) Location of construction fences.
- h) Parking for construction workers.
- i) Construction vehicles, equipment, and materials in the right of way.
- j) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access.

Authority: Bellevue City Code 14.30

Reviewer: Rohini Nair, 425-452-2569

5. PAVEMENT RESTORATION

The city's pavement manager has determined that the segments of 154th Avenue SE and SE 22nd Street near the site will require overlay type of pavement restoration for any utility connections or other digging in the street surface. Pavement restoration must meet the requirements of Section 21 of the Design Manual and standard drawings ROW-1 through ROW-5. Exact copies of the appropriate pavement restoration drawing(s) must be included in the final engineering plans.

Authority: Bellevue City Code 14.60.250 and Design Manual Design Standard # 21
Reviewer: Rohini Nair, 425-452-2569

6. OFF-STREET PARKING

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation or demolition permit.

Authority: Bellevue City Code 14.30
Reviewer: Rohini Nair, 425-452-2569

C. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. TREE RETENTION

The final short plat shall portray a minimum of 86 diameter inches of existing significant trees to remain. A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of each significant tree to be retained must be recorded with the final short plat mylar. The Tree Preservation Plan must contain the following note:

“Tree Preservation Plan:

Designation of trees on the Tree Preservation Plan establishes a covenant by the owner to leave undisturbed all trees as shown on the Tree Preservation Plan. This covenant shall run with the land and shall be binding upon all future owners. No tree topping, tree cutting or tree removal shall occur unless required or approved by the City. Except for ordinary landscape maintenance, no construction, clearing or land alteration activities shall occur within the drip-line of trees shown on the Tree Preservation Plan, unless required or approved by the City. Activities in violation of this covenant are subject to penalty, including without limitation, fines and mitigation requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this covenant by any method available under law. It is the obligation of the owner to comply with the terms of the Tree Preservation Plan and this covenant.”

An arborist report shall be provided to document the health of each tree to be saved.

During plat engineering, the dripline of the trees to be saved shall be fenced to prevent clearing & grading activities within the dripline area.

Authority: Land Use Code 20.20.900.D
Reviewer: Carol Saari, 425-452-2731

2. FIRE DEPARTMENT

The final short plat shall portray the following: "Automatic fire sprinklers may be required in any home built depending on the gross square footage of the home and the available fire flow from the nearest fire hydrant. Please contact the Fire Department."

Authority: International Fire Code Appendix B
Reviewer: Adrian Jones, 425-452-6032

3. INFRASTRUCTURE IMPROVEMENTS

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be either completed prior to approval of the final short plat or provided for with a financial assurance device. Completion of the top lift and all other transportation infrastructure items prior to completion of the homes associated with the development is allowed.

Land Use Code Section 20.40.490 allows a developer to obtain final short plat approval prior to finishing improvements with provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished infrastructure improvements. Provision of such an assurance device requires completion of the improvements by the developer within two years of final short plat approval. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Partial reductions of the financial assurance device will not be approved except in special circumstances, determined in advance, such as phased projects.

Improvements must be approved by the Transportation Department inspector before they are deemed complete. At completion of all transportation infrastructure items, the developer must provide a two year maintenance assurance device equivalent to 20% of the value of the transportation infrastructure improvements, dating from the acceptance of the improvements.

Authority: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241; LUC 20.40.490
Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19
Reviewer: Rohini Nair, 425-452-2569

4. ACCESS DESIGN AND MAINTENANCE

The final Subdivision map must include a note that specifies that the owners of lots served by the private road are jointly responsible for maintenance and repair of the private road. Also, the final Subdivision map must include a note that specifies that the private road will remain open at all times for emergency and public service

vehicles and shall not be gated or obstructed. Access from all the lots of the Palmer Short plat to the City roadway system will be through the private road SE 21st Court. No other direct access onto the public street system is authorized. The slope of the private road shall not exceed 10% for the first 20 feet past the back of the driveway approach and shall be limited to a maximum slope of 15% thereafter.

Authority: BCC 14.60.130
Reviewer: Rohini Nair, 425-452-2569

5. VARIANCE RESTRICTION

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.

Authority: Land Use Code 20.45B.130.A.6
Reviewer: Carol Saari, 425-452-2731

6. PERFORMANCE STANDARDS:

The final short plat shall portray the following on the face of the mylar:

- a) "Design shall minimize topographic modification. Structures shall conform to the natural contour of the slope. The foundation shall be tiered to conform to the existing topography and step down the slope with earth retention incorporated into the structure where feasible. Standard prepared building pads, i.e., slab on grade, shall be avoided. Land Use Code 20.20.460.E.1."
- b) "Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography. Land Use Code 20.20.460.E.3."

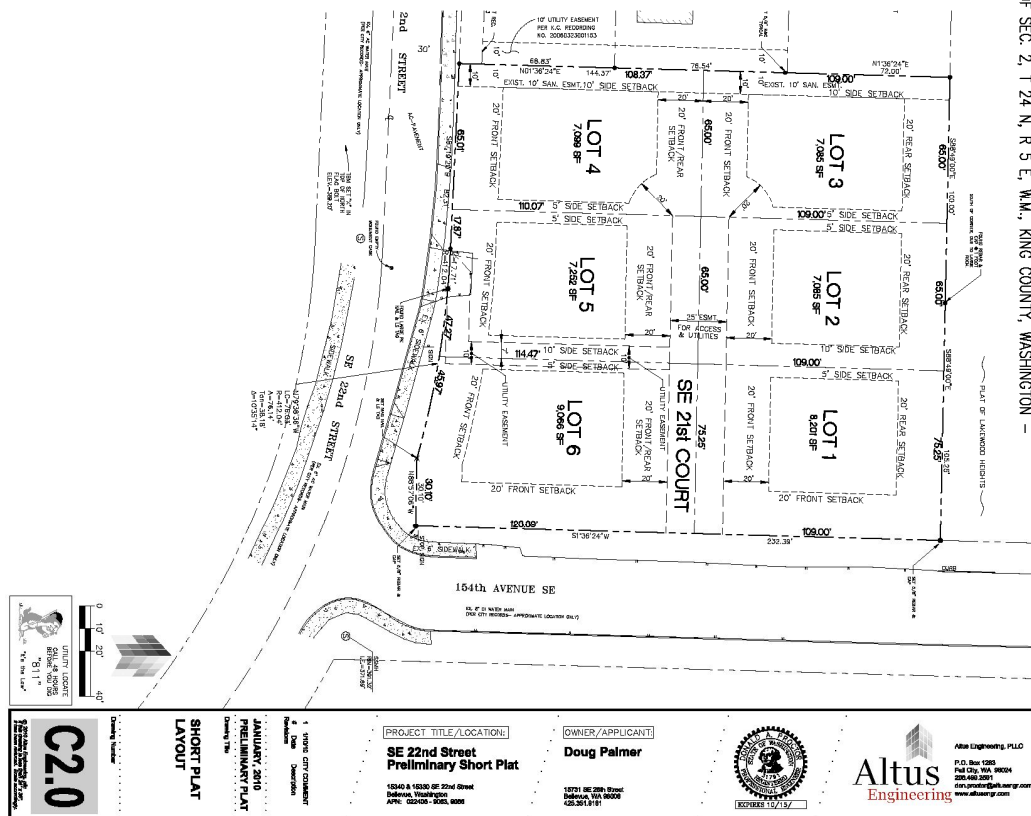
Authority: Land Use Code 20.20.460.E.1, 3
Reviewer: Carol Saari, 425-452-2731

LIST OF ATTACHMENTS

Short Plat Drawings

Sheet C2.0 Short Plat Layout
Sheet C3.0 Tree Retention, Demolition, and Erosion Control Plan
Sheet C4.0 Grading and Road Plan

- A PORTION OF THE SE 1/4 OF THE SW 1/4 OF SEC. 2, T 24 N, R 5 E, W.M., KING COUNTY, WASHINGTON -



TREE RETENTION/PRESERVATION
AND DEMOLITION NOTES

1. ROOT BALLS FOR TREES 4" AND 8" SHALL NOT BE REMOVED. CONSTRUCTION SHALL BE MODIFIED TO AVOID REMOVAL OF ROOT BALLS OR REMOVAL OF THE TREE.
2. NO GRADING OR REMOVAL OF TREES SHALL BE PERMITTED WITHIN THE 10' BUFFER FOR EVERY ONE INCH OF TREE DIAMETER AT BREAST HEIGHT.
3. THE REMOVAL OF NON-DESIGNATED TREES SHALL BE PERMITTED WITHIN THE 10' BUFFER FOR EVERY ONE INCH OF TREE DIAMETER AT BREAST HEIGHT. THE REMOVAL OF TREES SHALL BE PERMITTED WITHIN THE 10' BUFFER FOR EVERY ONE INCH OF TREE DIAMETER AT BREAST HEIGHT. THE REMOVAL OF TREES SHALL BE PERMITTED WITHIN THE 10' BUFFER FOR EVERY ONE INCH OF TREE DIAMETER AT BREAST HEIGHT.



DEMO AND EROSION CONTROL NOTES

1. EROSION CONTROL SYSTEMS MUST BE INSTALLED PRIOR TO BEGINNING DEMOLITION AND CONSTRUCTION.
2. CONSTRUCTION SHALL BE MODIFIED TO AVOID REMOVAL OF ROOT BALLS OR REMOVAL OF THE TREE.
3. NO GRADING OR REMOVAL OF TREES SHALL BE PERMITTED WITHIN THE 10' BUFFER FOR EVERY ONE INCH OF TREE DIAMETER AT BREAST HEIGHT.

DEMO AND EROSION CONTROL PLAN NOTES

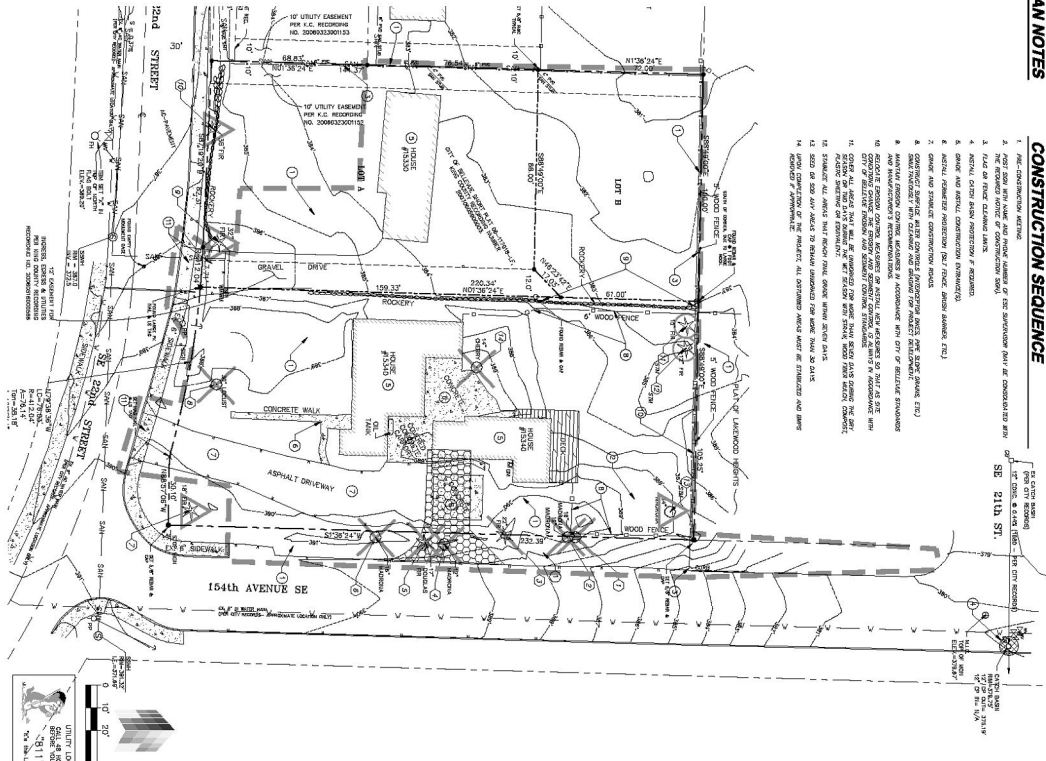
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TREE RETENTION PLAN NOTES

TREE NO.	DBH	HEIGHT	SPACING	REMARKS
1	12"	15'	12'	
2	12"	15'	12'	
3	12"	15'	12'	
4	12"	15'	12'	
5	12"	15'	12'	
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CONSTRUCTION SEQUENCE

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PROJECT TITLE/LOCATION
SE 22nd Street Preliminary Short Plat

OWNER/APPLICANT
Doug Palmer

DATE
10/15/2010

Altus Engineering, PLLC
P.O. Box 1285
1000 1st Ave. SE
Tulsa, OK 74103
918.438.0001
www.altuseng.com

C3.0

Tree Retention, Erosion Control Plan

